

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GREGORY DEAN ZELLERS, JR.,

Plaintiff,

v.

FIFTH 3RD BANK,

Defendant.

Case No. 1:24-cv-499

Hon. Hala Y. Jarbou

**ORDER**

On June 17, 2024, Magistrate Judge Phillip J. Green issued a Report and Recommendation (R&R) recommending that Plaintiff's complaint be dismissed for failure to state a claim on which relief may be granted because the circumstances do not warrant interference by this Court in Plaintiff's on-going state court criminal matters (ECF No. 7). The magistrate judge also recommended certifying that an appeal would not be taken in good faith. The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so expired on July 15, 2024. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

**IT IS ORDERED** that the R&R (ECF No. 7) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's complaint is **DISMISSED** for failure to state a claim.

**IT IS FURTHER ORDERED** that the Court certifies that an appeal would not be taken in good faith.

A judgment will issue in accordance with this order.

Dated: July 17, 2024

/s/ Hala Y. Jarbou  
HALA Y. JARBOU  
CHIEF UNITED STATES DISTRICT JUDGE